

Notice of Allowability

Application No.

09/066,513

Examiner

Sandra M. Nolan

Applicant(s)

REYNOLDS ET AL.

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment dated 04 August 2004.
2. ☒ The allowed claim(s) is/are 5-17,27 and 29-31.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20041109.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other All reference citation lists.

S. M. Nolan

SANDRA M. NOLAN
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Joseph Posillico (215/923.4466) on 09 November 2004. See the enclosed interview summary.
3. The application has been amended as follows:

In the Specification

At page 1, immediately under the title, the phrase "Field of the Invention" has been entered.

At page 1, immediately under line 15, the term "Background" has been entered.

At page 5, immediately under line 15, the term "Description" has been entered.

Remarks

The Examiner's Amendment supplies headings for several sections in the specification.

* * *

REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance:
5. Claims 5-17, 27 and 29-31 are allowed. Claims 1-4, 18-26 and 28 have been cancelled.

Art Unit: 1772

6. The sole base, or independent, claim of the application is claim 11. It can be summarized as follows:

Claim 11 covers a motion transmitting cable assembly comprising an abrasion resistant tubular article and a motion transmitting core moveably disposed within the article, said article comprising:

- an inner wall component comprising from 60 to 98% polytetrafluoroethylene (PTFE) and 2 to 40% organic filler,

- an outer wall component comprising PTFE and an inorganic filler,

wherein the outer wall component is positioned around the inner component and is bound thereto by an intermediate layer of PTFE.

7. The prior art of record fails to teach or suggest cable assemblies having all of the features of claim 11.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citations as of Interest

9. US 6,807,879 to Reynolds is cited as of interest for teaching cable assemblies having inner layers containing PTFE and polyimide resin. It fails to suggest cable assemblies in which three layers of outer tubing contain PTFE, with different fillers in the non-intermediate layers.

Art Unit: 1772

10. EP 0640 188B1 to Davidson is cited of interests as teaching cable assemblies in which the outer layer is bonded to an inner metal core with a fluorinated ethylene/-propylene copolymer (FEP) or perfluoro(alkoxyethylene)/tetrafluoroethylene copolymer (PFA). It teaches that inner layers of PTFE are ineffective because of their short life span. It fails to suggest cable assemblies in which three layers of outer tubing contain PTFE, with different fillers in the non-intermediate layers.

Conclusion

Any inquiry concerning this communication should be addressed to Sandra M. Nolan, at telephone number 571/272-1495. She can normally be reached Monday through Thursday, from 6:30 am to 4:00 pm, Eastern Time.

If attempts to reach the examiner are unsuccessful, her supervisor, Harold Pyon, can be reached at 571/272-1498.

The fax number for patent application documents is 703/872-9306.



S. M. Nolan
Primary Examiner
Technology Center 1700

09066513(20041109)

SANDRA M. NOLAN
PRIMARY EXAMINER